

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 10820 of 1998

with

SPECIAL CIVIL APPLICATION No 4039 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE B.C.PATEL and
MR.JUSTICE A.L.DAVE

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LP POPALIA

Versus

UNION OF INDIA

Appearance:

1. Special Civil Application No. 10820 of 1998
MRS DT SHAH for Petitioner
MR RJ OZA for Respondent No. 1

2. Special Civil Application No 4039 of 1998
MR RJ OZA for Petitioner
MRS DT SHAH for Respondent No. 1
NOTICE SERVED for Respondent No. 2

CORAM : MR.JUSTICE B.C.PATEL and
MR.JUSTICE A.L.DAVE

Date of decision: 12/02/99

ORAL JUDGEMENT (Per Patel, J.)

1. SCA No. 4039 of 1998 is filed by Union of India through the Secretary to the Government of India, Ministry of Information and Broadcasting, New Delhi along with Director General of All India Radio, New Delhi and Station Director of All India Radio, Godhra against the respondent No.1 L.P. Pipalia who was granted benefit of the order passed by the Central Administrative Tribunal in O.A. No. 561 of 1993 on 18.12.1997.

2. SCA No. 10820/98 is filed by L.P. Pipalia against the same judgment on the ground that his prayer was only partly allowed by the Tribunal.

3. Mr. Oza submitted that the Tribunal has seriously erred in granting benefit of deemed date to a person who has actually not worked on such post.

4. At the hearing of these petitions, we are told that L.P. Pipalia has retired from service with effect from 31.1.1998.

5. Looking to the facts and circumstances of the case, without entering into the merits of the case, we confirm the order passed by the Tribunal. We direct that the respondents shall implement the order passed by the Tribunal within three months from today.

6. In the result, both these Special Civil Applications are disposed of with the aforesaid directions.

csm./ -----